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Intellectual Property Administration  
P.O. Box 272400  
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PATENT APPLICATION

ATTORNEY DOCKET NO. 10006771-3

Inventor(s): Alfred I-Tsung Pan

Confirmation No.: 4363

Application No.: 10/618,171

Examiner: MAPLES, John S.

Filing Date: July 10, 2003

Group Art Unit: 1795

Title: **Flex Based Fuel Cell**

Mail Stop Amendment  
Commissioner For Patents  
PO Box 1450  
Alexandria, VA 22313-1450

**TRANSMITTAL LETTER FOR RESPONSE/AMENDMENT**

Transmitted herewith is/are the following in the above-identified application:

Response/Amendment  
 New fee as calculated below  
 No additional fee  
 Other \_\_\_\_\_

Petition to extend time to respond  
 Supplemental Declaration

Fee\$ \_\_\_\_\_

CLAIMS AS AMENDED BY OTHER THAN A SMALL ENTITY						
(1) FOR	(2) CLAIMS REMAINING AFTER AMENDMENT	(3) NUMBER EXTRA	(4) HIGHEST NUMBER PREVIOUSLY PAID FOR	(5) PRESENT EXTRA	(6) RATE	(7) ADDITIONAL FEES
TOTAL CLAIMS	20	MINUS	26	= 0	X \$52	\$ 0
INDEP. CLAIMS	2	MINUS	4	= 0	X \$220	\$ 0
<input type="checkbox"/> FIRST PRESENTATION OF A MULTIPLE DEPENDENT CLAIM						+ \$390
EXTENSION FEE	<input type="checkbox"/> 1st Month \$130	<input type="checkbox"/> 2nd Month \$490	<input type="checkbox"/> 3rd Month \$1110	<input type="checkbox"/> 4th Month \$1730		\$ 0
						OTHER FEES \$
						TOTAL ADDITIONAL FEE FOR THIS AMENDMENT \$ 0

Charge \$ 0 to Deposit Account 08-2025. At any time during the pendency of this application, please charge any fees required or credit any over payment to Deposit Account 08-2025 pursuant to 37 CFR 1.25. Additionally charge any fees to Deposit Account 08-2025 under 37 CFR 1.16 through 1.21 inclusive, and any other sections in Title 37 of the Code of Federal Regulations that may regulate fees. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

Alfred I-Tsung Pan

By: /Steven L. Nichols/

Steven L. Nichols

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Reg No. : 40,326

Date : February 17, 2009

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Patent Application of  
Alfred I-Tsung Pan  
Application No. 10/618,171  
Filed: July 10, 2003  
For: Flex Based Fuel Cell

Group Art Unit: 1795

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RESPONSE TO NOTICE OF NON-RESPONSIVE AMENDMENT

Mail Stop Appeal Brief - Patents  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to an Amendment filed October 23, 2008 in the above-identified patent application, Applicant received a Notification of Non-Responsive Reply dated February 4, 2009. This Notice complains that: "The reply filed on 23 October 2008 is not fully responsive to the prior Office Action because of the following omissions or matters: applicant has stated at the top of page 8 in the recent reply that the newly added subject matter to claim 12 finds support in the present specification at page 6, lines 25-29. This is incorrect. The subject matter at page 6, lines 25-29 concerns space between different fuel cells that is filled

with water and not a channel between a first flexible circuit and a second flexible circuit containing deionized water as claim 12 recites. It is questioned where support for the new subject matter in claim 12 is found in the present specification? It is also unclear from the newly added language in claim 12 what element(s) contain the deionized water?"

(Notification of Non-Responsive Reply, p. 2).

However, support for the amendments to claim 12 can be found in the specification at page 3, lines 1-5 and elsewhere, including page 6, lines 25-29, if read in context.

Accordingly, the Notification of Non-Responsive Reply appears to be entirely in error. Therefore, the Notification should be reconsidered and withdrawn. Applicant's Reply of October 23, 2008 should then be considered without further delay.

Respectfully submitted,

DATE: February 17, 2009

/Steven L. Nichols/

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